

REMARKS

Claims 1-26 are pending in the present application. Applicant has amended claims 1, 11, 18, and 21 to more clearly define the present invention. The Examiner is further respectfully requested to consider and examine the present application in light thereof.

Comments under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 3, 4, 10, 11, 12, 18, 21, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Shavit. The Examiner has further rejected claims 2, 14, 15, 22, and 23 under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Shavit and further in view of Atcheson. The Examiner has rejected claims 5-9, 13, 16, 17, 19, 20, 24, and 25 as being unpatentable over Suzuki in view of Shavit and further in view of Wiecha. The Examiner believes the Suzuki reference teaches Applicant's invention except for different types of network connectivity, a regional host computer for connecting merchant computers to the network computer, and a switch for assimilating product information from merchant computers and transferring it to the network computer.

Applicant has amended independent claims 1, 11, 18, and 21 to indicate more clearly that the present information assimilates product information from different merchant computers into one presentation so that a customer can compare the product information from different merchants. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

Suzuki teaches a data service company that maintains an integrated database comprising data from apparel manufacturers, textile companies, sewing companies, and

sales companies (i.e., enterprises). Subscribers of the data service company may access the system to obtain data from the integrated database. It is the Examiner's position Suzuki's teachings related to enterprise data, second data, and third data as explained in Col. 5, lines 6-16 and Fig. 3 disclose assimilation of product information data as taught by Applicant. Specifically, Suzuki teaches that subscribers may access enterprise data designated as "general public" (data about the company available to all subscribers), "enterprise public" (data about the company open only to other companies that have a business transaction with the company), and "private data" (data that cannot be shared). (Col. 5, ll. 9-18.) The enterprise data (identified in the specification as "first data" and in the claims as "original" data) relates to the enterprise and may be accessed and viewed independently of data related to any other company or source. In Suzuki, enterprise (original or first) data is not aggregated with data from multiple sources and has associated with it company identifying information.

Suzuki also teaches aggregation of data to create "second data" based on portions of original (or first) data (Col. 2, ll. 19-29; Col. 17, ll. 26-32.) Although "second data" is made available to all subscribers, in creating "second data," only portions of original (or first) data are used and the source of the data is not specified in the aggregated data. As a result, subscribers who access "second data" cannot determine the source of the data. Because the source of the data cannot be determined, a user viewing second data cannot compare data from different sources.

Finally, Suzuki teaches creation and presentation of "third data" in which "second data" is combined with general data (e.g., weather data). "Third data" is also made available to all subscribers, but does not identify the source of the data. As a result,

subscribers who access "third data" cannot determine the source of the data. As with "second data," a user viewing third data cannot compare data from different sources.

Applicant has amended claims 1, 11, 18, and 21 to indicate that the present invention assimilates data from different merchants into one presentation that distinguishes a first merchant's product information from a second merchant's product information. The source of the product information is provided in the presentation so that a customer may compare the products. Applicant respectfully submits that Suzuki does not teach product information assimilation as disclosed by Applicant because Suzuki does not permit subscribers to compare product information from different sources. More importantly, Suzuki teaches away from Applicant's invention by suggesting that in many instances, source identifying information should be removed from data so that subscribers cannot determine the source of data. In Suzuki, subscribers are provided with source indicators only when viewing data from a single enterprise. As a result, it is not possible to compare products based on information appearing in one presentation.

Applicant also respectfully submits that the Shavit, Atcheson, and Wichea references when combined with the Suzuki reference do not teach Applicant's invention or render it obvious. The Shavit, Atcheson, and Wichea references do not teach or even suggest assimilation of product information data in which source identifying information is preserved so that a customer may compare product information appearing in one presentation. Shavit teaches only access to information related to specific transactions between businesses. Atcheson teaches a system for determining musical selections that are likely to be of interest to a user. User interactions are accomplished using a

telephone. Finally, the Wichea reference, which was filed more than one year after the November 10, 1994 priority date of the present application, is not prior art with respect to Applicant's invention. Therefore, the combined teachings of Suzuki, Shavit, Atcheson, and Wichea do not support the present rejections.

Attached is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

In view of the foregoing Amendments and Remarks, Applicant respectfully submits that the claims of the present application are now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Application Serial No. 09/334,978

IN THE CLAIMS:

The claims have been amended as follows.

1. (Twice Amended) An electronic shopping system, comprising:

a first network connection between a first merchant computer and a network host computer, said first connection for transmitting product information to said network host computer in accordance with a first type of network connectivity;

a second network connection between a second merchant computer and said network host computer, said second connection for transmitting product information to said network host computer in accordance with a second type of network connectivity;

a database at said network host computer for storing said product information from said first merchant computer and said second merchant computer;

a first computer program at said network host computer for assimilating said product information for display in one presentation distinguishing said product information from said first merchant computer from said product information from said second merchant computer; and

a third network connection between said network host computer and a customer computer, said third network connection for transmitting said assimilated product information to said customer computer and for transmitting real time updates to said assimilated product information, said real time updates obtained in accordance with said first network connection and said second network connection.

11. (Twice Amended) A method for electronic shopping, comprising the steps of:

transmitting product information from a first merchant computer to a network host computer in accordance with a first type of network connectivity;

transmitting product information from a second merchant computer to said network host computer in accordance with a second type of network connectivity;

storing said product information from said first merchant computer and said second merchant computer in a database;

establishing a network connection between a customer computer and a host computer in communication with said database, said customer computer adapted to display information received from said host computer;

receiving at said host computer a request from said customer computer for product information from said database;

assimilating product information from said database in accordance with said request from said customer computer for display in one presentation at said customer computer distinguishing said product information from said first merchant computer from said product information from said second merchant computer;

transmitting from said host computer to said customer computer said assimilated product information;

displaying said assimilated product information at said customer computer; and

updating said assimilated product information at said customer computer in response to a request from said customer computer for a real-time update of said assimilated product information with product information from said first merchant computer and said second merchant computer.

18. (Twice Amended) A method for obtaining real time product information comprising the steps of:

establishing a first network connection between a first merchant computer and a network host computer;

transmitting product information from said first merchant computer to said network host computer;

establishing a second network connection between a second merchant computer and said network host computer;

transmitting product information from said second merchant computer to said network host computer;

storing said product information from said first merchant computer and said second merchant computer in a database;

establishing a connection between said network host computer and a customer computer;

receiving a request for product information from said customer computer;

assimilating product information to distinguish said product information from said first merchant computer from said product information from said second merchant computer in response to said request from said customer computer;

transmitting said assimilated product information to said customer computer;

displaying said assimilated product information at said customer computer; and

updating said assimilated product information at said customer computer with updated product information from said first merchant computer and said second merchant computer.

21. (Twice Amended) A real time shopping system comprising:

product information from a plurality of merchant computers;

a plurality of network connections between said plurality of merchant computers and a host computer, said network connections for uploading said product information to said host computer;

a database at said host computer for storing said product information from said plurality of merchant computers;

a computer program at said host computer for assimilating said product information for display in one presentation distinguishing said product information from said first merchant computer from said product information from said second merchant computer;

a connection between said host computer and a customer computer, said connection for transmitting to said customer computer said assimilated product information;

updates to said assimilated product information, said updates obtained in accordance with said plurality of network connections between said plurality of merchant computers and said host computer; and

a display at said customer computer for presenting said assimilated product information and said updates to said assimilated product information.